IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO.2479 OF 2005
WITH
REVIEW APPLICATION ST.NO. 21267 OF 2005
IN
WRIT PETITION NO. 4073 OF 2000

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr. Vijayrao Kale for the petitioners.

Mr. Nitin Jamdar for the respodnent.

CORAM : ANOOP V. MOHTA, J

DATE : 30.9.2005

. This review application with an application for condonation of delay of 8 days. Considering the averments made delay is condoned.

2. The landlord has given some statements to the Inspector, under the Bombay Shop and

Establishment Act, in favour of respondent No.2. Based on the same, the learned Counsel, appearing for the applicant-original respondent sought to review the impugned order. Need of written permission under the Bombay Rent Act is very clear. All these aspects of written permission have been taken note of in the judgment. There are no other grounds or reason, which are sufficient to review the judgment and order in question. There is no apparant error on the record, which could be pointed out and or even borne out from the record. In view of this, the present review application is dismissed.

3. However, considering the fact that the premises has been in possession for non-residential

purpose since 1978, on the request, I am inclined to grant six months time to vacate the premises, on filing an usual undertaking by the respondents and all other adult members, within two weeks, failing which the time to vacate shall not be in operation and the landlord will be free to take appropriate steps for the execution. No third party interest should be created during this period. All the arrears should be paid within 2 weeks from today. Petition is disposed of accordingly.

4. C.C. expedited.

(ANOOP V.MOHTA,J.]